

BILL NO. 94-78

AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 94-78 (as amended)

Introduced by Council President Wilson at the request of the County Executive

Legislative Day No. 94-23 Date September 6, 1994

AN ACT to repeal and to re-enact, with amendments, Subsection A-3, Heading Chesapeake Bay Critical Area Management Program, of Section 169-1 as enacted by Bill 90-39, as amended, Heading Adoption; Legal Status, of Chapter 169, Heading, Master Plan of the Harford County Code, as amended to provide for a change to Chapter 2, Section E. 2. b., General Policies of the program, and to further provide that the Chesapeake Bay Critical Area Management Program, along with the amended Land Use Management Area Maps and all other maps and appendices which are attached hereto and made a part hereof as though it were fully stated herein, remains in all other respects unchanged.

By the Council, September 6, 1994

Introduced, read first time, ordered posted and public hearing scheduled

on: October 11, 1994

at: 7:15 p.m.

By Order: James D. Vannoy, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 11, 1994, and concluded on, October 11, 1994.

James D. Vannoy, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 94-78

AS AMENDED

Section 1. Be It Enacted By The County Council of Harford County, Maryland, that Subsection A(3), heading Chesapeake Bay Critical Area Management Program of Section 169-1, heading, Adoption Legal Status of Chapter 169 heading Master Plan of the Harford County Code as amended, be, and it is hereby repealed and re-enacted with amendments, all to read as follows:

Chapter 169. Master Plan.

Section 169-1. Adoptions; Legal Status.

A. Incorporation by reference. The Master Plan, along with maps and appendixes, is incorporated herein by reference as part of this Chapter as though it were fully stated herein, and the Master Plan is hereby declared to be the official County Master Plan.

[(3) Chesapeake Bay Critical Area Management Program. The attached Chesapeake Bay Critical Area Management Program as amended, along with all maps and appendixes including the amended land use management area maps are incorporated herein by reference as part of this chapter as though it were fully stated herein, and the Chesapeake Bay Critical Area Management Program is hereby declared to be part of the official Harford County Master Plan.]

(3) CHESAPEAKE BAY CRITICAL AREA MANAGEMENT PROGRAM. THE ATTACHED CHESAPEAKE BAY CRITICAL AREA MANAGEMENT PROGRAM AS ENACTED BY BILL NO. 90-39, AS AMENDED, ALONG WITH ALL MAPS AND APPENDICES INCLUDING THE AMENDED LAND USE MANAGEMENT AREA MAPS IS INCORPORATED HEREIN BY REFERENCE AS PART OF THIS CHAPTER AS THOUGH IT WERE FULLY STATED HEREIN, AND THE CHESAPEAKE BAY CRITICAL AREA MANAGEMENT PROGRAM IS HEREBY DECLARED TO BE PART OF THE OFFICIAL HARFORD COUNTY MASTER PLAN.

Section 2. And Be It Further Enacted that Section E. 2. b., General Policies of The Chesapeake Bay Critical Area Management Program of Chapter 2, Tenure of Growth Allocation is hereby amended to read as follows:

b. Due to the unique nature of the growth allocation process, and in order to maximize opportunities for a variety of projects with the greatest public benefits, growth allocation

1 awards shall only be made to projects which can substantiate that the initiation of
2 substantial construction can occur within {24 months} ~~36 MONTHS~~ of receiving the final
3 action required for approval of the award. Subject to the review and approval of the
4 Zoning Administrator, a maximum of two (2) additional {six months} ~~ONE (1) YEAR~~
5 extensions may be granted for extenuating circumstances beyond all reasonable control
6 of the applicant. **IF ADDITIONAL TIME IS REQUESTED BY THE APPLICANT,**
7 **PLANNING & ZONING SHALL ASK THE COUNTY COUNCIL TO ADOPT A**
8 **RESOLUTION AUTHORIZING AN ADDITIONAL PERIOD OF TIME IN ORDER**
9 **TO ACCOMPLISH INITIATION OF SUBSTANTIAL CONSTRUCTION. THE**
10 **ADDITIONAL PERIOD OF TIME SHALL NOT EXCEED 24 MONTHS.** Initiation
11 of substantial construction shall be defined as being the point at which public
12 infrastructure improvements have been approved and are 75% or more complete in their
13 construction within the first phase and building permits have been issued and foundation
14 work completed on a minimum of 5% of the units in the first phase of an approved
15 project.

16 Section 3. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
17 it becomes law.

EFFECTIVE: December 27, 1994

HARFORD COUNTY BILL NO. 94-78 (as amended)

(Brief Title) Chesapeake Bay Critical Area Management Program

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy
Acting Secretary
of the Council

[Signature]
President of the Council

Date October 18, 1994

Date October 18, 1994

BY THE COUNCIL

Read the third time.

Passed: LSD 94-28 (October 18, 1994)

Failed of Passage: _____

By Order

James D. Vannoy
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 19th day of October, 1994 at 3:00 p. m.

James D. Vannoy
Acting Secretary

BY THE EXECUTIVE

Eileen M. Redman
COUNTY EXECUTIVE

APPROVED: Date October 26, 1994

BY THE COUNCIL

This Bill (No. 94-78, as amended), having been approved by the Executive and returned to the Council, becomes law on October 26, 1994.

James D. Vannoy
Acting Secretary of the Council

EFFECTIVE DATE: December 27, 1994